

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

221

CRM-M-50508-2022 (O&M)

Date of Decision: 06.07.2023

JAGROOP SINGH @ ROOPA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. PS Sekhon, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

Mr. SPS Sidhu, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioner in case bearing FIR No.196 dated 28.12.2019, registered under Sections 307, 302, 379-B, 326, 347, 506, 511, 148, 149 and 120-B IPC; Sections 182, 195 and 201 IPC and Sections 25 and 27 of the Arms Act, at Police Station Baghapurana, District Moga.

Learned counsel for the petitioner submits that it is a case of version and cross-version; that the complainant was was also summoned vide summoning order dated 03.09.2022 and that the petitioner has been in custody since 03.01.2020. He further submits that out of total 27 prosecution witnesses, only 8 have been examined so far and that the similarly situated co-accused, namely, Gurbhej Singh, Jagsir Singh @ Kanta and Satnam Singh @ Sethi, have since been granted bail.

Learned counsel for the petitioner further submits that the only role attributed to the petitioner is that he was present at the spot, where two persons were murdered and that as far as three other cases registered against the petitioner are concerned, the petitioner has been convicted in one and is on bail in the remaining two.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel and learned counsel for the complainant does not dispute the custody period of the petitioner.

Learned State counsel, however, submits that the petitioner had actively participated in committing the heinous crime, inasmuch as, one 12 bore gun was recovered from him. He further submits that the petitioner is a habitual offender and facing three more cases. He further submits that material witnesses are yet to be examined and thus, the petitioner does not deserve the concession of bail.

I have heard the learned counsel for the parties.

The only role attributed to the petitioner is that he was present at the spot, where two persons were murdered. The petitioner has been in custody since 03.01.2020. As far as other cases registered against the petitioner are concerned, the petitioner stands convicted in one and is on bail in the remaining two. Recovery of 12 bore gun has already been effected, which as per the learned counsel for the petitioner was handed over to him by the co-accused. Similarly situated co-accused have already been enlarged on bail. Most of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a

long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

06.07.2023

Aman Jain

Whether speaking/reasoned

Whether reportable

(HARNARESH SINGH GILL)

JUDGE

:

:

Yes/No

Yes/No